

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

MARY BLOODSWORTH, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CIVIL ACTION NO. 2:05cv622-d
	)	
SMITH & NEPHEW, et al.,	)	
	)	
Defendants.	)	

STATE OF ALABAMA     )  
MONTGOMERY COUNTY)

**AFFIDAVIT OF MARY BLOODSWORTH**

Comes now the undersigned, Mary Bloodsworth, and after having been duly sworn, deposes and says as follows:

My name is Mary Bloodsworth and I am over the age of nineteen (19) years. I have personal knowledge of the matters contained in this affidavit.

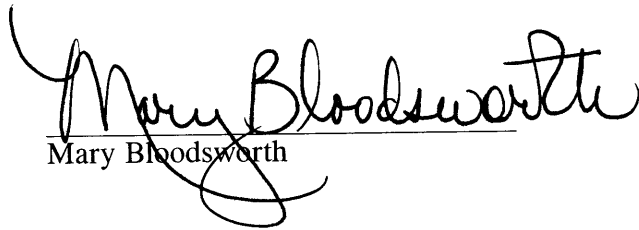
On or about January 7, 2004, I underwent a pre-operative evaluation in preparation for surgery scheduled for January 12, 2004, to add pieces to my hip prosthesis in an effort to assure that my hip would not continue to dislocate. On or about January 8, 2004, I received a call from Dr. Donald F. Hodurski's office advising that the surgery would have to be cancelled as the manufacturer of the prosthesis previously implanted would not have the additional pieces I needed available until some time in March of 2004. I was very upset and asked to speak with Dr. Hodurski regarding my options. He returned my call and stated that he had just learned that the company had distributed the prosthesis without having all additional parts available. He likened it to doing a repair job without all the necessary tools, or going into a game or battle without proper equipment. He told me that he had used a 52 size Smith & Nephew brand prosthesis and he could not use a piece from another manufacturer because the pieces were not interchangeable. Dr. Hodurski said he had informed the sales

representative that I needed to have surgery as soon as possible. He would discuss this further with the sales representative to see what could be done and get back with me.

Sometime thereafter, a nurse from Dr. Hodurski's office called to tell me that a piece had been special ordered and surgery was scheduled for February 2, 2004.

Following surgery, during a follow-up visit with Dr. Hodurski on which my husband, Jerry Bloodsworth, accompanied me, Dr. Hodurski discussed the surgeries and problems I had suffered. Dr. Hodurski reiterated that the surgery had to be postponed because the Smith & Nephew part he had needed in January had not been put into production at that time. He also said he had told the Smith & Nephew representative that he would have never put the Smith & Nephew prosthesis in my hip had he known all of the pieces he could need were not in production.

Further, affiant says not.

  
Mary Bloodsworth

STATE OF ALABAMA       )  
MONTGOMERY COUNTY    )

Sworn to and subscribed before me, this 28 day of July, 2005.

  
Notary Public  
My Commission Expires: 8/4/07